

10 August 1984

Environmental Protection

HAZARDOUS WASTE MANAGEMENT

This regulation establishes the Air National Guard hazardous waste management program. It states policies and assigns responsibilities for an integrated program to assure that the ANG, at all levels of command, conducts its hazardous waste management activities in a manner that protects public health and the environment. It implements DOD hazardous waste directives and stated policy and AFR 19-11 and is in agreement with hazardous waste management regulations developed by the US Environmental Protection Agency (EPA) pursuant to the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (RCRA). DOD has assigned the disposal responsibility for hazardous materials, including most hazardous waste, to the Defense Logistics Agency (DLA). This regulation is not intended to govern or address the DLA role; it addresses only the ANG role in the management process. Each ANG manager is responsible for coordinating relevant activities with their DLA or Defense Property Disposal Service (DPDS) counterpart. This regulation applies to all ANG installations and facilities.

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No. of Printed Pages: 7
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Distribution: B

SECTION A - EXPLANATION AND POLICY**1. Requirements:**

a. Subtitle C of the RCRA creates a comprehensive management system intended to ensure that hazardous waste is identified, treated, stored, and disposed of safely. First, subtitle C requires the EPA to identify hazardous waste. Second, it creates a manifest system designed to track the movement of hazardous waste and requires hazardous waste generators and transporters to employ appropriate management practices and procedures to ensure the effective operation of the manifest system. Third, owners and operators of treatment, storage, and disposal facilities must comply with standards established by the EPA under section 3004 of the RCA that "may be necessary to protect human health and the environment". These standards generally are implemented through permits that are issued by authorized States or the EPA to owners and operators of hazardous waste treatment, storage, and disposal (TSD) facilities.

b. Section 6001 of the RCRA requires that each department, agency, and instrumentality of the Executive, Legislative, and Judicial branches of the Federal Government having jurisdiction over any solid waste management facility or disposal site, or engaging in any activity resulting in the disposal or management of solid or hazardous waste shall be subject to and comply with all Federal, State, interstate, and local requirements, both substantive and procedural, for the control and abatement of solid or hazardous waste disposal. This includes the payment, to the same extent as any private entity, of reasonable permit fees. This does not subject Federal facilities to State or local tax levies. However, in certain instances where ANG units are State agencies, they may be subject to a State tax.

c. EPA, in accordance with legislative mandate, has encouraged State governments to assume regulatory responsibility for hazardous waste management.

The State programs, as a minimum, must equal the Federal program, but they may, at the discretion of the State, be more stringent, regulate additional wastes, or establish State specific management procedures. This delegation of authority to the States has resulted in the development of many State-managed programs that are similar only in their purpose of regulating the storage, transportation, treatment, and disposal of hazardous waste. ANG installations must comply with the substantive and procedural requirements of State programs that affect their operations.

d. This regulation outlines and defines management responsibilities through which regulatory compliance with Federal, State, and local regulations can be achieved. Individual program managers are responsible for interpretation and implementation of those Federal, State, or local regulations applicable to their installations operations.

2. Air Directorate, NGB Policy:

a. General. ANG policy is to conduct all hazardous waste management activities in a manner that will:

(1) Protect the health and welfare of ANG personnel and the general public.

(2) Minimize commitment of real property and expenditure of resources.

(3) Minimize damage to Air Force equipment and facilities.

(4) Reduce the generation of hazardous waste through substituting nonhazardous materials and through reuse, reclamation, and recycling of hazardous materials.

(5) Preserve the environment for future generations by complying fully with substantive and procedural requirements of Federal, State, and local laws and regulations governing hazardous waste management.

b. Personnel Requirements. ANG personnel resources are limited and are allocated fully IAW ANG policy.

c. Additional requirements generated by this regulation, to the maximum extent feasible, should be satisfied from existing resources within the function that has the requirement. If, however, a valid need for additional authorizations within a function is established, these authorizations should be acquired IAW AFR 26-1, Manpower Policies and Procedures.

SECTION B - AIR DIRECTORATE, NGB RESPONSIBILITIES

3. Air Directorate Offices: Each Air Directorate office develops procedures to assure that its activities are conducted in a manner consistent with this regulation and ANGR 19-1.

a. The Engineering and Services Division (NGB/DE)-

(1) Is the Air Directorate office of primary responsibility (OPR) for regulatory compliance relating to hazardous waste management within the ANG. All Air Directorate staff actions that may alter or reflect on stated ANG hazardous waste management policy must be coordinated through NGB/DE.

(2) Monitors ANG wide hazardous waste program activity and resolves program policy conflicts with non-DOD agencies.

(3) Develops format, identifies content, and determines mode of data collection for program status reports required by HQ USAF, OSD, and/or Congressional offices.

(4) Provides for ANG coordination with Federal, regional, and State agencies relative to hazardous waste management by:

(a) Coordinating with Regional EPA and State hazardous waste man-

agement offices on issues of regional or statewide interest.

(b) Providing installations assistance in resolution of Notices of Violation (NOV's).

(c) Providing installations assistance in preparing permit applications and/or review of applications prior to submittal to Regional EPA or State offices.

(d) Providing national/regional workshops for ANG installations to explain and assist in satisfying EPA and State regulatory requirements.

(e) Including in budget submissions those facility requirements necessary for proper storage, treatment, or disposal of hazardous waste for which the Air Force has storage, treatment, or disposal responsibility. The Air Force will not normally budget for activities related to the DPDS mission, except as provided in specific Inter-Service Support Agreements (AFR 11-4, Host Tenant Support Responsibilities).

(f) Providing supplemental guidance to installations addressing ANG unique aspects of hazardous waste management. ANG activities on regular Air Force installations will comply with Air Force regulations and/or host installation procedures.

b. The Logistics Division (NGB/LG)-

(1) Is the Air Directorate OPR for developing policy relative to management, storage, and disposition of hazardous materials. This includes those materials that, when no longer required for ANG use, may become hazardous wastes.

(2) Maintains liaison with AF/LEY and AFLC/MMLII concerning hazardous waste and materials policy.

(3) Provides guidance relative to packaging for transport and transport of ANG hazardous materials and waste.

(4) Assures compliance with Department of Transportation and EPA regulations governing transport of hazardous waste by ANG contracted carriers.

c. The Air Surgeon (NGB/SG)-

(1) Assures bioenvironmental engineering surveillance of all ANG hazardous waste management activities, including evaluation of industrial processes and waste streams to identify wastes that are subject to management under this regulation.

(2) Develops policy to assure that adequate environmental monitoring programs are established to verify compliance with permit requirements for hazardous waste treatment, storage, and disposal facilities on ANG installations.

(3) Establishes criteria and standards for controlling and mitigating accidental hazardous waste releases on ANG installations.

(4) Maintains liaison with USAF/OEHL in the areas of monitoring and analyzing hazardous wastes.

d. The Air Force Engineering & Services Center (AFESC). Furnishes technical assistance in hazardous waste program management and regulatory compliance to the ANG Support Center and Air Guard installations upon request from ANGSC/DEV.

4. AFLC, ATC, MAC, and AFSC Responsibilities: AFLC, ATC, and AFSC have been assigned the following special responsibilities by HQ USAF:

a. HQ AFLC will:

(1) Publish procedures to reduce, reclaim, recycle, or reuse hazardous wastes generated by routine base industrial type operations when economically feasible, and assure that procedures are included in appropriate AF technical orders.

(2) Develop procedures to review hazardous waste materials introduced into the Air Force inventory to identify those that may become difficult to manage or require excessively expensive disposal methods, and either seek alternatives for introduction of these materials, or establish adequate safeguards to assure proper disposals. This task is a coordinated effort with AFSC for new systems developed by AFSC for AF use.

(3) Coordinate, through responsibilities delegated to AFLC/MMLII by HQ USAF/LEY, DPDS disposition of AF generated hazardous wastes and advise MAJCOMS and Air Directorate NGB of procedures to be followed in processing hazardous wastes to DPDS for disposition.

b. HQ ATC will provide training in hazardous waste management for those career fields involved in the generation, treatment, storage, transportation, or disposal of hazardous wastes.

c. HQ MAC will provide specific management procedures to comply with EPA regulations for AF hazardous waste transported into the United States by MAC aircraft from overseas. These include initiation of manifests and maintenance of required records of shipments from overseas.

d. HQ AFSC will provide hazardous waste management training in applicable USAF School of Aerospace Medicine courses. In addition, it will assure that the USAF Occupational and Environmental Health Laboratory will:

(1) Provide guidance on ground/surface water monitoring, sample collection, and preservation techniques.

(2) Provide analytical support in identifying unknown wastes and environmental samples.

(3) Provide specialized environmental monitoring equipment for loan to base environmental engineers.

(4) Provide special on-site surveys to solve environmental pollution problems resulting from TSD facility operation.

(5) Provide assistance to base personnel with respect to interpretation of monitoring results.

SECTION C - INSTALLATION OPERATIONAL CONCEPT AND RESPONSIBILITIES.

5. The Installation Commander: The installation commander is responsible for compliance with the RCRA and State regulations by host and tenant organizations on the installation. The commander signs all permit applications and reports submitted to EPA or State agencies as part of this overall management responsibility. In the event that the installation commander is not an O-6 or higher, signatory authority for permit applications must be referred up the chain of command to an official in grade O-6 or higher. Operational responsibility for the hazardous waste program, however, rests with the activities that generate the waste; the activities responsible for treating, storing, transporting, or disposing of the waste; and the activities responsible for implementing health, safety, and environmental protection programs.

6. The Installation Environmental Protection Committee (EPC): The EPC, established under ANGR 19-1, is comprised generally of representatives from all activities involved in hazardous waste management and is responsible for reviewing and coordinating the installation commander's hazardous waste management program. The committee reviews all required plans, permit applications, and reports to ensure that they are properly prepared, and attests to the commander that they are adequate.

7. The Staff Judge Advocate or Support Judge Advocate: The Staff Judge Advocate or Support Judge Advocate will:

a. Review Federal, State, and local hazardous waste management regulations and advise the EPC and the installation host and tenant activities.

b. Provide legal advice in the development of the installation hazardous waste management plan.

c. Attend meetings with Federal, State, or local regulatory personnel, as required, to provide legal advice and to ensure proper interpretation of regulations.

8. The Chief of Support Services: The Chief of Support Services will be responsible for:

a. Monitoring day to day hazardous waste management program activity, and reporting program status to the EPC. (Civil Engineering)

b. Reviewing all hazardous waste storage, treatment, and disposal facilities on the installation, and assuring their compatibility with Federal and State hazardous waste management regulations. (Civil Engineering)

c. Serving as office of primary responsibility (OPR) for developing and implementing the installation hazardous waste management plan, including coordination of emergency response activities. (Civil Engineering).

d. Assuring proper signature of those portions of any required TSD facility permit applications that are required to be signed by a registered professional engineer. (Civil Engineering)

e. Providing staff support and representing the installation commander in the resolution of Notices of Violations, and negotiation of Memoranda of Understanding and compliance agreements relative to violation of Federal or State hazardous waste management standards. (Civil Engineering)

f. Representing the installation commander in all interagency discussions concerning reporting or monitoring requirements established by Federal or State hazardous waste management regulations. (Civil Engineering)

g. Assuring that adequate personnel are assigned to the environmental area for monitoring of hazardous waste activities, including permit and report preparation and record keeping. (Civil Engineering)

h. Escorting EPA and State inspection personnel, identifying hazardous waste activities, and explaining the ANG program to the inspectors. EPA or State inspectors should not inspect the installation unescorted by base representatives. (Civil Engineering)

i. Reviewing workplace industrial processes and practices to assure that all hazardous waste is identified. In concert with safety and civil engineering, assuring that hazardous waste is managed in accordance with applicable health, safety, and environmental criteria. (Base Bioenvironmental Engineering Technician)

j. Arranging for environmental monitoring as required by installation treatment, storage, and disposal permits, including waste analysis and hazard detection. Submitting environmental monitoring results to the base and assisting in interpreting the results. (Base Bioenvironmental Engineering Technician)

k. Conducting on-site occupational health training for TSD facility employees in accordance with applicable Federal or State regulations. (Base Bioenvironmental Engineering Technician)

9. The Deputy Commander for Resources: The Deputy Commander for Resources will be responsible for:

a. Establishing procedures for processing hazardous waste to the DPDO for disposition; including identification, packaging, and preparation of turn-in

documents and manifests. (Base Supply)

b. Assuring that disposal turn-in documents (DTIDs) contain the information necessary to comply with Federal or State regulatory requirements and acting as liaison between base and DPDO in settling disposal related problems. (Base Supply)

c. Assuring that all hazardous waste transported off an installation is properly labeled, packaged, manifested, and transported in appropriate types of vehicles IAW AFR 71-9, AFM 75-2, and Title 49 Code of Federal Regulations. (Transportation)

d. Ensuring that hazardous wastes, for which the ANG has disposal responsibility (sludges and residues from industrial treatment processes), are properly contracted for disposal. (Contracting)

e. Ensuring that arrangements for hazardous waste handling/management are included in base support agreements. This is especially important when DLA facilities are located on an ANG base. (Resource Plans Office)

10. Permitted TSD: Permitted TSD facility operators-

a. Are responsible for assuring compliance with hazardous waste regulations applicable to that facility. This includes developing a permit application and report data for submittal to the base civil engineer for consolidation and day-to-day operational and inspection requirements.

b. Will maintain, at their activity, all required operational and training records and transfer the records to the base civil engineer for disposition upon deactivation of the facility.

c. Will, upon notification of a noncompliance situation, initiate corrective action immediately. In the event corrective action cannot be completed within 24 hours, they will provide to the base civil engineer a schedule of actions

required to correct the deficiency.

11. Hazardous Waste Generators: Hazardous waste generators will manage all hazardous waste in their custody IAW with applicable State/local hazardous waste regulations. This includes required proper storage, inspection, record keeping, and labeling of waste containers. Specific instructions for accomplishing this task can be provided by the base civil engineer.

12. Small Generators/State Requirements: The Federal RCRA Regulations have reduced regulatory requirements for small generators of hazardous waste. Since most ANG installations are relatively small they should qualify for the small generator exclusion. Those units qualifying usually do not have to obtain permits to store waste generations. Where States are managing the hazardous waste program they may have more stringent small generator or other waste management requirements. ANG units should be familiar with State/local hazardous waste regulations. The ANG must comply with the most stringent of the Federal, State, or local requirements. Small generators are not required by EPA regulation to have a detailed hazardous waste management plan such as required for an installation having a permitted TSD facility. However, each ANG unit that generates hazardous waste is required, as a minimum, to develop a waste management plan which encompasses the following areas:

a. Name of base level POC for hazardous waste/material and management.

b. US EPA/State hazardous waste I.D. number.

c. Names, addresses, and phone numbers of the State or local regulatory agencies.

d. Delineation of base level hazardous waste management responsibilities for waste analysis, packaging, manifesting, RCRA inspections, and storage.

e. POC at and location of servicing DPDO.

f. Any special local DPDO requirements for processing of hazardous materials and wastes.

g. An annual installation-wide hazardous waste inventory showing generator status.

h. Procedures for handling, cleaning up spills, and processing spill residue items (include in SPCC plan).

13. Spill Residues: The DLA, through local DPDOs, is responsible for the disposal of properly identified and packaged spill residues. Local turn in procedures for spill residues can be obtained from your servicing DPDO. ANG units are still required to report spill incidents to ANGSC/DEV IAW ANGR 19-1.

BY ORDER OF THE SECRETARY OF THE AIR FORCE

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